

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

THOMAS TURNER, an individual, on behalf
of himself and others similarly situated,

Plaintiff,

v.

LIBERTY MUTUAL RETIREMENT
BENEFIT PLAN; LIBERTY MUTUAL
MEDICAL PLAN; LIBERTY MUTUAL
RETIREMENT BENEFIT PLAN
RETIREMENT BOARD; LIBERTY
MUTUAL GROUP INC., a Massachusetts
company; LIBERTY MUTUAL INSURANCE
COMPANY, a Massachusetts company; and,
DOES 1–50, Inclusive,

Defendants.

Civil Action No. 1:20-cv-11530-FDS

**ASSENTED-TO MOTION FOR EXTENSION OF TIME
TO RESPOND TO COMPLAINT**

Pursuant to Federal Rule of Civil Procedure 6(b)(1), Defendants Liberty Mutual Retirement Benefit Plan, Liberty Mutual Medical Plan, Liberty Mutual Retirement Benefit Plan Retirement Board, Liberty Mutual Group Inc., and Liberty Mutual Insurance Company (collectively, “Liberty Mutual”) move to extend the deadline for their answer or other response to the Complaint (ECF No. 1) to and including November 9, 2020. In support, Liberty Mutual states:

1. Plaintiff Thomas Turner filed this putative class action on August 14, 2020, challenging Liberty Mutual’s calculation of certain retirement benefits under the Employee Retirement Income Security Act, 29 U.S.C. §§ 1001 *et seq.*, and also alleging violations of 29 C.F.R. 2560.5031(h)(2)(i), 29 C.F.R. 2520.102-3(l), and 29 C.F.R. 2520.102-2(a).

2. Liberty Mutual was served with the Complaint on September 10, 2020.

3. McDermott Will & Emery LLP was recently retained to represent Liberty Mutual in this matter.

4. Liberty Mutual respectfully requests additional time to review the allegations set forth in the Complaint and to prepare its answer or other response.

5. Plaintiff has assented to an extension such that the deadline for Liberty Mutual's answer or other response will be to and including November 9, 2020.

6. Liberty Mutual respectfully requests that the Court exercise its "broad discretion to allow motions to extend deadlines," *Gouin v. Nolan Assocs., LLC*, 2017 WL 3238225, at *2 (D. Mass. July 28, 2017), and grant the relief requested herein.

Respectfully Submitted,

LIBERTY MUTUAL RETIREMENT BENEFIT
PLAN, ET AL.

By its attorneys,

/s/ Shamis N. Beckley

Shamis N. Beckley (BBO # 697425)
MCDERMOTT WILL & EMERY LLP
200 Clarendon Street, Floor 58
Boston, Massachusetts 02116-5021
Telephone: 617.535.4000
Fax: 617.535.3800
sbeckley@mwe.com

Date: September 21, 2020

LOCAL RULE 7.1 CERTIFICATION

Pursuant to Local Rule 7.1, I hereby certify that counsel for Liberty Mutual contacted counsel for Plaintiff in an attempt in good faith to resolve or narrow the issues presented by this motion. Plaintiff's counsel assented to the relief requested herein.

Dated: September 21, 2020

/s/ Shamis N. Beckley
Shamis N. Beckley (BBO # 697425)

CERTIFICATE OF SERVICE

I certify that this document, filed through the Court's ECF system, will be sent electronically to the registered participants in this matter as identified on the Notice of Electronic Filing.

Date: September 21, 2020

/s/ Shamis N. Beckley
Shamis N. Beckley (BBO # 697425)